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DOCKET NO: 218103US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

GANG XIE

SERIAL NO: 10/045,046

FILED: JANUARY 15, 2002

FOR: ELECTRODE, METHOD OF PRODUCING THE SAME, AND SOLID-STATE
HIGH MOLECULAR WEIGHT ELECTROLYTE TYPE FUEL CELL
EMPLOYING THE ELECTRODE

:
: EXAMINER: MAPLES, JOHN S.
:
: GROUP ART UNIT: 1745

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated July 11, 2003, applicant herein elects the invention of Group II (Claims 6-7) for prosecution in the present application.

The present election is being made with traverse. According to § 808.02 of the MPEP, where related inventions have the same classification and field of search, there is no reason for dividing among the related inventions. Here, the Examiner has recognized that all of the claims are classified in class 429. Moreover, any appropriate search for elected method of making an electrode would necessarily include classes and subclasses appropriate for the search of an electrode and the fuel cell of Claim 8. Examining all of the claims would therefore not present a substantial further burden upon the Office, and so it is respectfully submitted that the outstanding Restriction Requirement should be withdrawn.

Respectfully submitted,



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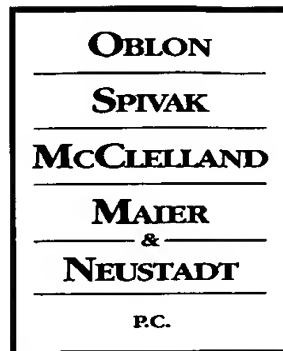
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RE: Application Serial No: 10/045,046

Applicants: Gang XIE

Filing Date: January 15, 2002

For: ELECTRODE, METHOD OF PRODUCING THE SAME, AND
SOLID-STATE HIGH MOLECULAR WEIGHT ELECTROLYTE
TYPE FUEL CELL EMPLOYING THE ELECTRODE

Group Art Unit: 1745

Examiner: MAPLES, JOHN S.

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of _____ is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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